

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JAMES MICHAEL RIEDE, as Legal)	
Guardian of BETTY J. RIEDE,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-24-1108-G
)	
LOWE’S HOME CENTERS, LLC,)	
)	
Defendant.)	

ORDER

Plaintiff James Michael Riede commenced this action on October 23, 2024, pursuing claims on behalf of Betty J. Riede, for whom he is a legal guardian, as a non-attorney and without an attorney.

On January 9, 2025, this Court addressed Defendant Lowe’s Homes Centers, LLC’s challenge to Mr. Riede’s pro se representation of Betty J. Riede. *See* Order of Jan. 9, 2025 (Doc. No. 9) at 2. The Court’s Order explained that “[u]nder federal law, ‘non-attorney pro se litigants cannot represent other pro se parties.’” *Id.* (quoting *Perry v. Stout*, 20 F. App’x 780, 782 (10th Cir. 2001)) (citing 28 U.S.C. § 1654). Mr. Riede was directed to, within 14 days, either have counsel enter an appearance on his behalf or show good cause why this action should not be dismissed. *See id.* Mr. Riede was advised that otherwise his “claims will be dismissed without prejudice to refiling.” *Id.*

As of this date, Mr. Riede has not procured counsel, requested additional time to do so, or shown good cause why the action should not be dismissed. Dismissal is therefore warranted. *See Davis v. Schmidt*, No. 18-03107, 2021 WL 956524, at *3-4 (D. Kan. Feb.

26, 2021). Further, if a plaintiff “fails to prosecute or to comply with the [Federal Rules of Civil Procedure] or a court order,” the Court may dismiss the action. Fed. R. Civ. P. 41(b). If the dismissal is without prejudice, the Court generally need not follow any “particular procedures” in entering the dismissal order. *AdvantEdge Bus. Grp. v. Thomas E. Mestmaker & Assocs., Inc.*, 552 F.3d 1233, 1236 (10th Cir. 2009); *see also Robledo-Valdez v. Smelser*, 593 F. App’x 771, 775 (10th Cir. 2014). Mr. Riede’s failure to prosecute this action and to comply with the Court’s Order leaves the Court unable “to achieve an orderly and expeditious” resolution of this action. *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-31 (1962).

CONCLUSION

Accordingly, this matter is DISMISSED WITHOUT PREJUDICE. A separate judgment shall be entered.

IT IS SO ORDERED this 12th day of August, 2025.


CHARLES B. GOODWIN
United States District Judge